

**PETITION FORM FOR SIGNATURE BY PERSON WITH SUFFICIENT PROPRIETARY
INTEREST ON BEHALF OF OMITTED INVENTOR(S) WHO REFUSE(S) TO
SIGN OR CANNOT BE REACHED
(37 CFR 1.47(b))**

I, Anthony C. Murabito

(type or print name of person (entity) with sufficient proprietary interest or authorized to act on behalf of such person (entity))

hereby declare that:

I. I am a citizen of United States of America

residing at 1936 Margot Place, San Jose, CA 95125.

II.

☐ am a person with sufficient proprietary interest.

☒ am a registered attorney, authorized by the following person or juristic entity with sufficient proprietary interest,

(complete the following information, if applicable):

PALM, INC.

400 N. McCarthy Blvd., Milpitas, CA 95035

III. By virtue of this proprietary interest, I sign this declaration on behalf of, and as agent for:

Mr. Jeffry Loucks
omitted inventor who

☐ refuses to sign

☒ cannot be found or reached

Citizenship: USA


1304 34TH STREET CT NW, GIG HARBOR, WA 98335

IV. Upon information and belief, I aver those fact that the inventors is required to state, 37 CFR 1.64(b)

V. Accompanying this declaration is:

A STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF NONSIGNING INVENTOR,
to establish the proof of pertinent facts, and to show that such action is necessary to preserve the rights of
the parties or to prevent irreparable damage.

Date: 10/8/2002


Name: Anthony C. Murabito
Reg. No.: 35,295



Patent

713

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Kammer, et al.)
Serial No.: 10/086,313)
Filed: 02/28/02)
For: A METHOD FOR INTELLIGENTLY)
SELECTING A WIRELESS COMMUNICATION)
ACCESS POINT (as amended))
_____)

Art Unit:

Hon. Commissioner of
Patents and Trademarks
Washington, D.C. 20231

STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF NONSIGNING
INVENTOR UNDER 37 C.F.R. §1.47(b)

Dear Sir:

I hereby declare:

1. I am making this STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF
NONSIGNING INVENTOR UNDER 37 C.F.R. §1.47(b) in connection with U.S. Patent
Application Serial No. 10/086,313, filed February 28, 2002 (hereinafter referred to as
"the present patent application").

2. I currently reside at 1936 Margot Place, San Jose, CA 95125.

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OCT 22 2002
OFFICE OF PETITIONS

3. I am a registered patent attorney of record in the present patent application and am a partner at the law firm of Wagner, Murabito & Hao L.L.P. (hereinafter "the firm").

4. I am authorized by PALM, INC. (hereinafter "PALM"), a juristic entity with sufficient proprietary interest in the present patent application, to sign on behalf of the non-signing inventor, Jeffry Loucks, who had agreed to assign his inventive rights to PALM as part of his employment agreement.

5. The last known residence of Mr. Loucks is: 1304 34TH STREET CT NW, GIG HARBOR, WA 98335

6. On February 28, 2002, the present patent application was filed with the U.S. Patent Office with an unsigned Declaration.

7. A Notice To File Missing Parts Of Application was received by the firm on April 12, 2002.

8. The present patent application, including specification, claims and informal drawings, Declaration and Assignment forms were subsequently sent via e-mail to Mr. Loucks at his work on May 17, 2002 for his signature. The firm has yet to receive the executed documents.

9. The present patent application, including specification, claims and informal drawings, Declaration and Assignment forms were sent a second time via e-mail to Mr. Loucks at his work on September 9, 2002 for his signature. The firm has yet to receive the executed documents.

10. The present patent application, including specification, claims and informal drawings, Declaration and Assignment forms were sent a third time via Certified Mail to Mr. Loucks at his home address on October 1, 2002 for his signature. The firm has yet to receive the executed documents.

11. The present patent application, including specification, claims and informal drawings, Declaration and Assignment forms were sent a fourth time via Certified Mail to Mr. Loucks at his home address on October 3, 2002 for his signature. The firm has yet to receive the executed documents.

12. The present patent application, including specification, claims and informal drawings, Declaration and Assignment forms were sent a fourth time via Certified Mail to Mr. Loucks at his home address on October 7, 2002 for his signature. The firm has yet to receive the executed documents.

13. This petition is necessary to prevent the present patent application from becoming abandoned, which would cause irreparable damage to 3COM.

14. Enclosed is a check for the petition fee of \$130.00.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

WAGNER, MURABITO & HAO L.L.P.

Date: 10/8, 2002

A handwritten signature in black ink, appearing to read 'Anthony C. Murabito', written over a horizontal line.

Anthony C. Murabito

Reg. No. 35,295

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Mr. Jeffery Loucks

Street, Apt. No., or PO Box No.

1304 34th St. CT NW

City, State, ZIP+4

Gig Harbor, WA 98335 (PALM-3749)

PS Form 3800, July 1999

See Reverse for Instructions

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Total Postage & Fees	\$6.72

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